

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PENN ENGINEERING & MANUFACTURING CORP.	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	No.: 19-cv-513
	:	
PENINSULA COMPONENTS, INC.,	:	
Defendant.	:	

ORDER

AND NOW, this 13TH day of October, 2021, upon consideration of Defendant's Motion to Enforce and for Sanctions (ECF No. 231), Plaintiff's response thereto (ECF No. 234) and Defendant's reply in support (ECF No. 236), and for the reasons set forth in the memorandum filed concurrently with this Order, **IT IS HEREBY ORDERED** that Defendant's motion is **GRANTED** as follows:

1. Within three days, Plaintiff shall provide Defendant with either a signed certification that the only document it has withheld regarding any policies and practices with respect to Plaintiff's distributors that sell Plaintiff's products to Plaintiff's competitors is the internal email chain referenced in the Court's August 12, 2021, Memorandum or, if that is not the case, a privilege log cataloguing all withheld documents with sufficient information for Defendant to confirm the applicability of the protection invoked.

2. Within three days, Plaintiff shall produce all information about quality-based returns by Plaintiff's distributors of the fastener products at issue over the last ten years, to the extent not already produced.

3. Defendant's expert rebuttal report deadline shall be due one week after Plaintiff produces this information or on October 15, 2021, whichever is later.

4. After Plaintiff has provided the information described in Paragraph 2, Defendant may depose Plaintiff's expert, Carmen Vertullo, limited to the information in the supplemental production.

5. Within 10 days, Plaintiff shall pay Defendant \$5,000 as reasonable attorneys' fees and costs in filing the motion.

BY THE COURT:

/s/ Lynne A. Sitarski
LYNNE A. SITARSKI
United States Magistrate Judge